

JUL 30 2004

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	CAUSE NO.: A-1577
DEPARTMENT OF INSURANCE,)	
)	
PETITIONER,)	
)	
vs.)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
STEVE F. JANSEN,)	RECOMMENDED ORDER AND
)	ORDER
RESPONDENT.)	

This matter came on for hearing on the 28th day of July, 2004, before Christine M. Neighbors, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance ("Department") was represented by its attorney, Keri Schechinger. Steve F. Jansen ("Respondent") was not present and was not represented by counsel. The Rules of Evidence were not requested and the hearing was governed accordingly. The proceedings were tape recorded by Tracy Gruhn, a licensed Notary Public. Evidence was received and the matter taken under advisement. As a result of the hearing, the hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order.

FINDINGS OF FACT

1. Respondent is a licensed Nebraska insurance producer whose current registered address with the Department is 89046 537th Avenue, Fordyce, NE.
2. The Department is the agency of the State of Nebraska charged with licensing insurance producers.
3. On or about June 30, 2004, the Petition and Notice of Hearing were served upon Respondent by mailing the same to his address of record by certified mail, return

receipt requested. Respondent received the Petition and Notice of Hearing on or before July 6, 2004, which is the date the certified card was received by the Department as evidenced by Exhibit 1.

4. On March 16, 2004, an Insurance Investigator in the Consumer Affairs Division, Barbara Ems, sent the Department's first request for information by certified letter to Respondent requesting that he provide certain information to the Department within fifteen working days to address the consumer complaint. Exhibit 3. The Respondent did not reply within fifteen working days.

5. In follow-up to the first request for information, Jane Francis, the Administrator of the Consumer Affairs Division, sent a second letter to Respondent on April 13, 2004. Respondent received said letter on or about April 19, 2004 as evidenced by Exhibit 3.

6. On or about April 26, 2004, the Department requested additional information from Respondent via a third letter generated as a result of additional information received during the course of the investigation. Respondent received the letter and responded on or about May 4, 2004 with an unsigned, undated letter to Investigator Barbara Ems which did not address all of the Department's questions. Thus, Respondent's reply to the Department's requests for information was inadequate and untimely.

7. As a result, the Department sent a follow-up letter on May 10, 2004. Respondent failed to respond to this request for information within fifteen working days. Exhibit 3. However, Respondent's response was not received within fifteen working days.

CONCLUSIONS OF LAW

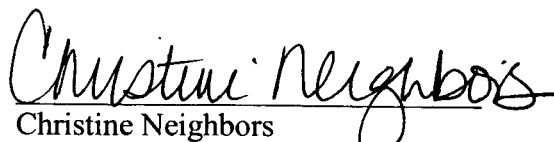
1. The Department has jurisdiction and control over the licensing of Respondent to sell insurance in the State of Nebraska pursuant to *Neb. Rev. Stat. §44-4041 et seq.*
2. The Department has personal jurisdiction over Respondent.
3. Respondent violated *Neb. Rev. Stat. §44-4059(1)(b)* by failing to respond to the Department's written inquiries on three occasions within fifteen working days as required by *Neb. Rev. Stat. §44-1525(11)*.

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent be ordered to pay a \$1,000.00 administrative fine within thirty (30) days from the date the Director of Insurance signs this Order. Respondent's failure to pay the administrative fine when due will result in immediate suspension of Respondent's insurance producer license until said fine is paid.

Dated this 29th day of July, 2004.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

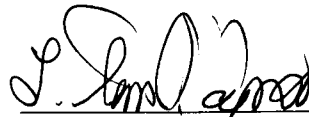

Christine Neighbors
Hearing Officer

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska Department of Insurance v. Steve F. Jansen, Cause No.: A-1577.

Dated this 30th day of July, 2004.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



L. TIM WAGNER
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order and Order was served upon the Respondent by mailing a copy to Respondent at 89046 537th Avenue, Fordyce, NE 68736 by certified mail, return receipt requested on this 3rd day of ~~July~~, 2004.

August

